

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 2-2005)

ATTORNEY'S DOCKET NUMBER

932.1303

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/535220**INTERNATIONAL APPLICATION NO.  
**IB2003/005673**INTERNATIONAL FILING DATE  
**December 1, 2003**PRIORITY DATE CLAIMED  
**December 5, 2002**

## TITLE OF INVENTION

**USE OF DOCOSAHEXANOIC ACID AS ACTIVE SUBSTANCE FOR THE TREATMENT OF LIPODYSTROPHY**

## APPLICANT(S) FOR DO/EO/US

**Juan Carlos DOMINGO PEDROL, et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 627872538 US**
23. ☒ Other items or information:  
**Letter Re Priority**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |              |  |            |  |                       |
|---|--------------|--|------------|--|-----------------------|
| <p><b>10/535220</b></p> <p>U.S. APPLICATION NO. (if known, see 37 CFR 1.5)</p>  |              | <p>INTERNATIONAL APPLICATION NO.</p> <p><b>IB2003/005673</b></p>       |            | <p>ATTORNEY'S DOCKET NUMBER</p> <p><b>932.1303</b></p> |                       |
| <p>The following fees are submitted:</p>  |              |  |            | <p><b>CALCULATIONS</b></p>                             | <p><b>PTO USE</b></p> |
| <p>24. <input checked="" type="checkbox"/> Basic national fee</p>   |              | <p>\$300</p>   |            | <p>\$ 300.00</p>                                       |                       |
| <p>25. <input checked="" type="checkbox"/> Examination fee</p> <p>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).</p>   |              | <p>\$100</p>   |            | <p>\$ 200.00</p>                                       |                       |
| <p>All other situations.</p>  |              | <p>\$200</p>   |            |  |                       |
| <p>26. <input type="checkbox"/> Search fee</p> <p>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority</p>   |              | <p>\$100</p>   |            |  |                       |
| <p>International Search Report prepared and provided to the Office</p>  |              | <p>\$400</p>   |            |  |                       |
| <p>All other situations.</p>  |              | <p>\$500</p>   |            | <p>\$ 500.00</p>                                       |                       |
| <p><b>TOTAL OF 24, 25 and 26 =</b></p>  |              |  |            | <p>\$ 1,000.00</p>                                     |                       |
| <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p> |              |  |            |  |                       |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE       |  |                       |
| - 100 =   | 0            | /50 =  | 0          | x \$250.00   | \$ 0.00               |
| <p>Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).</p>  |              |  |            |  |                       |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA   | RATE       |  |                       |
| Total claims  | 14 - 20 =    | 0  | x \$50.00  | \$ 0.00  |                       |
| Independent claims  | 1 - 3 =      | 0  | x \$200.00 | \$ 0.00  |                       |
| <p>MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00</p>  |              |  |            | <p>\$ 0.00</p>   |                       |
| <p><b>TOTAL OF ABOVE CALCULATIONS =</b></p>   |              |  |            | <p>\$ 1,000.00</p>                                     |                       |
| <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p>  |              |  |            | <p>\$ 500.00</p>                                       |                       |
| <p><b>SUBTOTAL =</b></p>  |              |  |            | <p>\$ 500.00</p>                                       |                       |
| <p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>  |              |  |            | <p>\$ 0.00</p>   |                       |
| <p><b>TOTAL NATIONAL FEE =</b></p>  |              |  |            | <p>\$ 500.00</p>                                       |                       |
| <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +</p>  |              |  |            | <p>\$ 40.00</p>  |                       |
| <p><b>TOTAL FEES ENCLOSED =</b></p>   |              |  |            | <p>\$ 5540.00</p>                                      |                       |
|   |              |  |            | <p>Amount to be</p>                                    | \$                    |
|   |              |  |            | <p>Amount to be</p>                                    | \$                    |

a. ☒ A check in the amount of \$ **5540.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

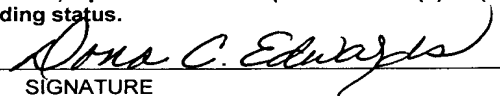
c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-0518**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

**STEINBERG & RASKIN, P.C.**  
 1140 Avenue of the Americas  
 15th Floor  
 New York, New York 10036-5803

  
 SIGNATURE  
**Dona C. Edwards**  
 NAME  
**42,507**  
 REGISTRATION NUMBER

10/535220

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Juan Carlos DOMINGO PEDROL, et al.**

Docket No.

932,1303

17 MAY 2005

JC20 Rec'd PCT/PTO

Examiner

Application No.

N/Y/K

Filing Date

May 17, 2005

N/Y/K

Customer No.

21831

Group Art Unit

N/Y/K

Invention: **USE OF DOCOSAHEXANOIC ACID AS ACTIVE SUBSTANCE FOR THE TREATMENT OF LIPODYSTROPHY**

I hereby certify that the following correspondence:

New PCT National Phase Application with associated documents and fees

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 17, 2005*(Date)*Annette McPherson*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV 627872538 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**